

Exhibit 39

STATE OF TEXAS, ET AL. vs. UNITED STATES OF AMERICA, ET AL.
Esther Jeon on 06/15/2018

1 IN THE UNITED STATES DISTRICT COURT

2 SOUTHERN DISTRICT OF TEXAS

3 BROWNSVILLE DIVISION

4 STATE OF TEXAS, et al.,)
5)
6 Plaintiffs,)
7 vs) No. 1:18-CV-68
8 UNITED STATES OF AMERICA,)
9 et al.,)
10 Defendants.)
11 and)
12 KARLA PEREZ, et al.,)

13 The deposition of Esther Jeon called for
14 examination pursuant to notice and pursuant to the
15 Federal Rules of Civil Procedure for the United
16 States District Courts pertaining to the taking of
17 depositions taken before JO ANN LOSOYA, Certified
18 Shorthand Reporter within and for the County of Cook
19 and State of Illinois at 11 East Adams, Chicago,
20 Illinois, on June 15, 2018 at the hour of 11:00
21 o'clock a.m.

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1 APPEARANCES:

2 MALDEF
3 MS. PRISCILLA ORTA
4 MS. GRISELDA VEGA SAMUEL
5 11 East Adams Street
6 Suite 700
7 Chicago, Illinois 60603
8 (312) 427-0701
9 porta@maldef.org
10 gvegasamuel@maldef.org
11 Appeared on behalf of the Deponent and
12 Intervenors;

8 ATTORNEY GENERAL OF THE STATE OF TEXAS
9 MR. ADAM N. BITTER
10 MS. CRISTINA M. MORENO
11 P.O. BOX 12548
12 Austin, Texas 78711
13 (512) 463-2120
14 adam.bittter@oag.texas.gov
15 cristina.moreno@oag.texas.gov
16 Appeared on behalf of the Plaintiffs.

13 U.S. DEPARTMENT OF JUSTICE
14 MR. JAMES WALKER
15 Ben Franklin Station
16 P.O. Box 868
17 Washington, DC 20044
18 (202) 532-4468
19 james.walker3@usdoj.gov
20 Appeared on behalf of the Defendant.

17 APPEARING TELEPHONICALLY:

18 ALEJANDRA AVILA, MALDEF
19 NINA PERALES, MALDEF
20 NICHOLAS DOLINSKY, New Jersey Attorney General
21 Office

21 ALSO PRESENT:

22 NAYOUNG HANA
23 SUSANA SANDOVAL VARGAS

24 REPORTED BY: JO ANN LOSOYA
25 CSR LICENSE: 084-002437

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1 A. In Houston.

2 MS. AVILA: Hello. This is Alejandra.

3 I'm calling from the San Antonio office for MALDEF.

4 MR. BITTER: Hi, Alejandra. Adam Bitter.

5 I have got a crew here with me in the deposition

6 room and also on the line is Nina and Nicholas

7 Dolinsky from New Jersey.

8 BY MR. BITTER:

9 Q. So between -- just to clarify, between
10 your first year and your second year at Harvard,
11 where were you?

12 A. Houston.

13 Q. In Houston. Did you work anywhere during
14 that time?

15 A. I had assisted my family restaurant.

16 Q. Is that in Houston?

17 A. Yes.

18 Q. Did you have any other job during your
19 summer break between first year and second year?

20 A. No.

21 Q. So, second year at Harvard, did you work
22 during any part of that year?

23 A. Yes.

24 Q. Where did you work first your second
25 year?

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1 A. For the Office of Equity, Diversity and
2 Inclusion.

3 Q. When did you begin working there?

4 A. Late first semester.

5 Q. And how did you apply for that job? Did
6 you apply for that job?

7 A. Yes.

8 Q. And how did you apply for it?

9 A. Through the Office of Equity Diversity
10 and Inclusion.

11 Q. Just directly submitted your application
12 to them?

13 A. Yes.

14 Q. What were your responsibilities in that
15 position?

16 A. I worked to create spaces for students
17 where they could talk about issues of race, gender,
18 and class.

19 Q. Was that a competitive process to get
20 that job?

21 A. I don't know.

22 Q. Do you know if other people applied for
23 it?

24 A. Yes.

25 Q. Were there other people that had your

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1 same position, or was it just one position that was
2 held by you?

3 A. There was more than one.

4 Q. But as far as you know, there were
5 multiple people that applied for the job that you
6 received?

7 A. Yes.

8 Q. And actually, let me ask that question
9 for the Harvard Financial Aid Initiative work that
10 you did your freshman year. Do you know whether
11 other people applied for that position as well?

12 A. Yes.

13 Q. You know of people that were turned down
14 for that position; is that right?

15 A. Yes.

16 Q. The position with the -- I'll call it
17 Office of Equity for short, for that office, was
18 that a paid or unpaid position?

19 A. Paid.

20 Q. For that job, do you recall providing
21 verification of your employment eligibility?

22 A. Yes.

23 Q. So you began working there late in your
24 first semester of your sophomore year; is that
25 right?

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1 REPORTER CERTIFICATE

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3 I, JO ANN LOSOYA, a Certified Shorthand
4 Reporter within and for the County of Cook and State
5 of Illinois, do hereby certify:

6 That previous to the commencement
7 of the examination of the witness, the witness was
8 duly sworn to testify the whole truth concerning the
9 matters herein;

10 That the foregoing deposition
11 transcript was reported stenographically by me, was
12 thereafter reduced to typewriting under my personal
13 direction and constitutes a true record of the
14 testimony given and the proceedings had;

15 That the said deposition was taken
16 before me at the time and place specified;

17 That I am not a relative or
18 employee or attorney or counsel, nor a relative or
19 employee of such attorney or counsel for any of the
20 parties hereto, nor interested directly or
21 indirectly in the outcome of this action.

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1 IN WITNESS WHEREOF, I do hereunto set my
2 hand this June 27, 2018.

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JO ANN LOSOYA, CSR
C.S.R. No. 84-002437

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